

MINUTES
EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, March 13, 2012

City Council Chamber

4:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Council President Kincaid called the meeting to order. The following members were present: Council Members Larry Balow, David Duax, Kerry Kincaid, David Klinkhammer, Kathy Mitchell, Mark Olson, Jackie Pavelski, Bob Von Haden, Thomas Vue and Dana Wachs. Absent: Council Member Andrew Werthmann.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, March 13, 2012. Thereupon a motion was offered by Council Member Balow and seconded by Council Member Vue "to adopt the consent resolution". Said motion passed by unanimous vote.

PROCLAMATION

Council President Kincaid, on behalf of the City Council, proclaimed March 29, 2012, as Vietnam Veterans Recognition Day.

LIQUOR LICENSES

The Council considered a resolution granting a Temporary Class B Fermented Malt Beverage license to Eau Claire Area Sports Commission, Inc., President, Ken Van Es, on March 24 & 25, 2012, at 3456 Craig Road, for the Wisconsin State Dartball Tournament. Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Von Haden "to adopt said resolution". Said motion passed by unanimous vote.

Council Member Werthmann arrived in the Council Chamber.

The City Council considered applications for a Combination Class B Intoxicating Liquor & Fermented Malt Beverage license from

- KimChi Café, LLC., d/b/a Kim-Chi Café, 2823 London Rd., Ryan S. Miescke, agent, and from
- Eau Zone, Inc., d/b/a Action City, 2402 Lorch Ave., Thomas Hahn, agent.
(Eau Zone, Inc had applied for a Class A Cabaret license as well.)

There was one regular a Combination Class B Intoxicating Liquor & Fermented Malt Beverage license available for the Council to grant. Representative from each applicant made presentations to the Council. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Wachs "to grant said license to KimChi Café, LLC., d/b/a Kim-Chi Café, 2823 London Road, Ryan S. Miescke, agent". Said motion was approved by the following vote: Aye: Council Members Balow, Duax, Kincaid, Pavelski, Vue, Wachs and Werthmann. Nay: Council Members Klinkhammer, Mitchell, Olson and Von Haden.

Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Duax “that a Combination Class B Intoxicating Liquor & Fermented Malt Beverage and Class A Cabaret license not be granted to Eau Zone, Inc., d/b/a Action City, 2402 Lorch Avenue, Thomas Hahn, agent, at this time as there is no Combination Class B Intoxicating Liquor & Fermented Malt Beverage available”. Said motion passed by unanimous vote.

SCULPTURE TOUR ENCROACHMENTS

The City Council considered a resolution granting a permanent encroachment to Sculptures Eau Claire, Inc. for the "Sculpture Tour" exhibit. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Olson “to adopt said resolution”. Said motion passed by unanimous vote.

STATE PARATRANSIT AID CONTRACT

The City Council considered a resolution approving the 2012 Paratransit Aids Contract with the Wisconsin Department of Transportation. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Wachs “to adopt said resolution”. Said motion passed by unanimous vote.

PARKING FEE

The City Council considered a resolution amending the City of Eau Claire Schedule of Fees and Licenses, reducing the surface parking fee for the Schlegelmilch – McDaniel lot fee from \$23.00 per month to \$11.50 per month. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Olson “to adopt said resolution”. Said motion passed by unanimous vote.

Council Member Wachs left the Council Chamber.

STREET, UTILITY & SIDEWALK IMPROVEMENT PROJECTS

The City Council considered a Final Resolution approving the project and levying special assessments for street and utility improvements on the following streets:

- Driftwood Lane, Folsom Street to 945 feet north (12-103)
- N. Hastings Way E. Frontage Road, Shady Grove Road to Harrison Street (12-107)

Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Balow “to adopt said resolution”. Said motion passed by unanimous vote.

Council Member Wachs returned to the Council Chamber.

The Council considered a Final Resolution approving the project and levying special assessments for street, utility, and sidewalk improvements on the following streets:

- Eastlawn Street, Delbert Road to Hallie Lane (12-301)
- Fairmont Avenue, Sunset Drive to 253 feet north (12-302)
- Oakland Street, Delbert Road to Hallie Lane (12-303)
- Hastings Place, Galloway Street to 566 feet north (12-204)

Thereupon a motion was offered by Council Member Vue and seconded by Council Member Pavelski “to adopt said resolution”. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Pavelski “to amend said resolution by adding a paragraph #9 to read as follows:

‘All of the proposed work on Eastlawn Street be and hereby is postponed until the 2013 construction project period, during which time the Department of Public works shall evaluate the public sidewalk plan in the area bounded approximately by Locust Lane (west), Hallie Lane (north), east of Jefferson Lane, and Delbert Road (south), in consultation with the neighborhood, and shall recommend to the city council the location of sidewalks to be constructed in that plan area no later than February 1, 2013.’”

Said motion to amend passed by the following vote: Aye: Council Members Balow, Duax, Kincaid, Klinkhammer, Pavelski, Wachs and Werthmann. Nay: Council Members Mitchell, Olson, Von Haden and Vue. The Council then voted on the resolution as amended. Said resolution was adopted by the following vote: Aye: Council Members Balow, Duax, Kincaid, Klinkhammer, Mitchell, Pavelski, Von Haden, Vue, Wachs and Werthmann. Nay: Council Member Olson.

Council Member Duax left the Council Chamber.

The Council considered a resolution ordering sidewalk to be repaired in accordance with Wisconsin Statute s. 66.0907 on the following streets:

- Fairmont Avenue, Sunset Drive to 253 feet north (12-302)
- Oakland Street, Delbert Road to Hallie Lane (12-303)
- Hastings Place, Galloway Street to 566 feet north (12-204)

Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Klinkhammer “to adopt said resolution”. Said motion passed by unanimous vote.

Council Member Duax returned to the Council Chamber.

The City Council considered a Final Resolution approving the project and levying special assessments for street, utility, and sidewalk improvements on the following streets:

- Altoona Avenue, Chapin Street to S. Hastings Way (12-201)
- Chapin Street, Altoona Avenue to Highland Avenue (12-202)
- Highland Avenue, Margaret Street to Regis Court (12-205)
- Keith Street, 251 feet north of Woodland Avenue to Altoona Avenue (12-206)
- Woodland Avenue, 242 feet west of Chapin Street to Keith Street (12-212)

Thereupon a motion was offered by Council Member Olson and seconded by Council Member Mitchell “to adopt said resolution”. Said motion passed by unanimous vote.

Council Member Werthmann left the Council meeting.

The Council considered a resolution ordering sidewalk to be repaired in accordance with Wisconsin Statute s. 66.0907 on the following streets:

- Altoona Avenue, Chapin Street to S. Hastings Way (12-201)
- Chapin Street, Altoona Avenue to Highland Avenue (12-202)
- Highland Avenue, Margaret Street to Regis Court (12-205)
- Keith Street, 251 feet north of Woodland Avenue to Altoona Avenue (12-206)
- Woodland Avenue, 242 feet west of Chapin Street to Keith Street (12-212).

Thereupon a motion was offered by Council Member Wachs and seconded by Council Member Balow “to adopt said resolution”. Said motion passed by unanimous vote.

The City Council considered a Final Resolution approving the project and levying special assessments for street and utility improvements on the following streets:

- Ellis Street, W. Polk Avenue to W. Hamilton Avenue (12-203)
- W. Lexington Boulevard, State Street to W. Polk Avenue (12-207)
- W. Polk Avenue, W. Lexington Boulevard to Ellis Street (12-209)
- W. Tyler Avenue, Ellis Street to 160 feet west (12-211).

Thereupon a motion was offered by Council Member Vue and seconded by Council Member Pavelski “to adopt said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution ordering sidewalk to be repaired in accordance with Wisconsin Statute s. 66.0907 on the following streets:

- Ellis Street, W. Polk Avenue to W. Hamilton Avenue (12-203)
- W. Lexington Boulevard, State Street to W. Polk Avenue (12-207)
- W. Polk Avenue, W. Lexington Boulevard to Ellis Street (12-209)
- W. Tyler Avenue, Ellis Street to 160 feet west (12-211).

Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Duax “to adopt said resolution”. Said motion passed by unanimous vote.

COMPREHENSIVE PLAN & SUBDIVISION CODE

The City Council considered an ordinance amending the Subdivision Code adding provisions for non-residential land divisions in the Town of Union as shown on Planning File #Z-1500-12.

Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Olson “to adopt said ordinance”. Said motion passed by unanimous vote.

The Council considered an ordinance amending the Eau Claire Comprehensive Plan, changing provision for non-residential land divisions in the Town of Union. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Wachs “to adopt said ordinance”. Said motion passed by unanimous vote.

ZONING

The City Council had first reading on an ordinance rezoning property located on the east side of White Oak Lane, north of Mesa Ridge Drive, from R-1 to R-2P, and to adopt the General Development Plan for duplex development as shown on Planning File #Z-1501-12.

ADJOURNMENT

A motion was offered by Council Member Balow and seconded by Council Member Vue “that this meeting does now adjourn.” Said motion passed by unanimous voice vote.

Adjournment: March 13, 2012

Time: 6:34 p.m.

ATTEST:

Kerry J. S. Kincaid, President

Donna A. Austad, City Clerk